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Ex Parte Reexamination Filing Data - September 30, 2010

1. Total requests filed since start of *ex parte* reexam on 07/01/81 11023¹
 - a. By patent owner 3697 34%
 - b. By other member of public 7161 65%
 - c. By order of Commissioner 165 1%

2. Number of filings by discipline
 - a. Chemical Operation 3068 28%
 - b. Electrical Operation 4010 36%
 - c. Mechanical Operation 3771 34%
 - d. Design Patents 174 2%

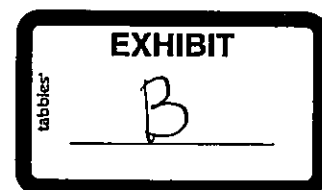
3. Annual *Ex Parte* Reexam Filings

Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.
1981	78 (3 mos.)	1989	243	1997	376	2005	524
1982	187	1990	297	1998	350	2006	511
1983	186	1991	307	1999	385	2007	643
1984	189	1992	392	2000	318	2008	680
1985	230	1993	359	2001	296	2009	658
1986	232	1994	379	2002	272	2010	780
1987	240	1995	392	2003	392		
1988	268	1996	418	2004	441		

4. Number known to be in litigation..... 3568.....32%

5. Decisions on requests.....10495
 - a. No. granted.....9648.....92%
 - (1) By examiner 9534
 - (2) By Director (on petition) 114
 - b. No. denied847.....8%
 - (1) By examiner 812
 - (2) Reexam vacated 35

¹Of the requests received in FY 2010, 16 requests have not yet been accorded a filing date, and preprocessing of 80 requests was terminated for failure to comply with the requirements of 37 CFR 1.510. See Clarification of Filing Date Requirements for *Ex Parte* and *Inter Partes* Reexamination Proceedings, Final Rule, 71 Fed. Reg. 44219 (August 4, 2006).



6. Total examiner denials (includes denials reversed by Director).....	926			
a. Patent owner requester	451		49%	
b. Third party requester	475		51%	
7. Overall reexamination pendency (Filing date to certificate issue date)				
a. Average pendency	25.5 (mos.)			
b. Median pendency	20.0 (mos.)			
8. Reexam certificate claim analysis:	Owner Requester	3 rd Party Requester	Comm'r Initiated	Overall
a. All claims confirmed	22%	25%	12%	23%
b. All claims cancelled	8%	13%	23%	12%
c. Claims changes	70%	62%	65%	65%
9. Total <i>ex parte</i> reexamination certificates issued (1981 – present)	7782			
a. Certificates with all claims confirmed	1817		23%	
b. Certificates with all claims canceled	893		12%	
c. Certificates with claims changes	5072		65%	
10. Reexam claim analysis – requester is patent owner or 3 rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER	2947			
(1) All claims confirmed	638		22%	
(2) All claims canceled	251		8%	
(3) Claim changes	2058		70%	
b. Certificates – 3 rd PARTY REQUESTER	4681			
(1) All claims confirmed	1161		25%	
(2) All claims canceled	607		13%	
(3) Claim changes	2913		62%	
c. Certificates – COMMISSIONER INITIATED REEXAM	154			
(1) All claims confirmed	18		12%	
(2) All claims canceled	35		23%	
(3) Claim changes	101		65%	